IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1223 OF 2005

IN

FIRST APPEAL NO. 381 OF 1989

The State of Maharashtra ..Applicant.

V/s.

1. Shri Goma Likarya Bhende,
   Since deceased through LRs.
1A. Shri Shantaram G.Bhende & Ors. ..Respondents.

Shri K.K.Tated, AGP for the applicant.
Shri N.B. Shah for the Respondents.

CORAM : S. B. MHASE, J.
DATED : APRIL 20, 2005

PC :-

. Heard learned counsel for both sides.

. This is an application to bring on record the legal heirs of deceased respondent No.1, who has expired on 2nd February, 1994. By this application further prayer is made to set aside the abatement of appeal and condone the delay. Shri Shah has no objection for allowing the civil application since, he has already filed Vakalatnama on behalf of the heirs. Therefore, the civil application is allowed. Delay in

filing the application is condoned and the abatement is set aside and the appellant shall bring on record the legal heirs of respondent No.1 as prayed for in the Civil Application.

. Civil Application is disposed of accordingly.

(S.B.MHASE,J)

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spb/-